



FACT SHEET

EMBASSY OF THE UNITED STATES OF AMERICA, MANILA
U.S. DEPARTMENT OF JUSTICE



UNITED STATES DEPARTMENT OF JUSTICE

Office of Overseas Prosecutorial Development, Assistance and Training (OPDAT)

The United States Department of Justice Office of Overseas Prosecutorial Development Assistance and Training (OPDAT) has worked through the Resident Legal Advisor (RLA) program with the Philippine Government since 2010. Areas of mutual cooperation have included a combination of support for legislative improvement; financial crimes; trial advocacy and substantive law programs; Lesbian, Gay, Bisexual, and Transgender (LGBT); Mindanao support; Trafficking in Persons (TIP); and leadership training. OPDAT partners with the Philippine Department of Justice, the Office of the Ombudsman, the Philippine Judicial Academy, and other justice sector institutions, as well as law schools and other NGOs. OPDAT cooperation supports both the Bilateral Strategic Dialogue and the Partnership for Growth.



DOJ/OPDAT Conducts Second
Cybercrime Conference with PDOJ
and Office of Ombudsman in Cebu,
Philippines

Justice Leadership

Both the Ombudsman and the Philippine Department of Justice (PDOJ) sought cooperation from OPDAT to address a challenge faced by prosecution services worldwide -- developing an effective leadership culture. OPDAT tapped the Justice Leadership Institute (JLI) at USDOJ's National Advocacy Center (NAC), a nationwide training center located in Columbia, South Carolina to develop solutions to address these fundamental challenges. OPDAT brought leaders from the Ombudsman's Office and the PDOJ to South Carolina to take part in the JLI's Foundations of Leadership program, meet with U.S. experts, participate in a Trial Advocacy Program, and absorb the interactive, peer-driven learning strategies employed at the NAC. These visits led the way to the implementation of a JLI-led leadership course in Manila with the Ombudsman in November 2012, followed by two trial advocacy programs conducted by OPDAT in partnership with the Office of the Ombudsman.

Criminal Procedure Reform

OPDAT is also assisting the PDOJ in reforming the preliminary investigation stage, which limits police prosecutor cooperation and delays criminal proceedings. Our cooperation has contributed to new proposals, articulated by the Philippine Secretary of Justice in a recent law article, recommending the abolishment of the preliminary investigation stage as well as a draft bill reforming the preliminary investigation proceeding.

Money Laundering, Terrorism Financing and Asset Management

The Supreme Court previously interpreted the Philippines bank secrecy law to require notification to account holders if their banking records are sought by law enforcement, and the Philippine Government lacked the authority to immediately freeze suspected terrorist assets.



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OPDAT supported the passage of two laws in June 2012 that addressed these deficiencies. OPDAT also helped support the Asset Forfeiture Interagency Working Group, which drafted an executive order to establish an asset management strategy. In October 2012, OPDAT began conducting a training series on financial crimes with PDOJ to make use of these new tools.

Cybercrime

OPDAT in partnership with the PDOJ developed and conducted six substantive programs in different regions of the Philippines focused on cybercrime and electronic evidence. The programs were held in conjunction with the Philippine Judicial Academy and discussed how judges can implement the Philippines' new Cybercrime law and how to address cybercrime and electronic evidence more generally.

Trafficking in Persons (TIP)

U.S. Ambassador Thomas has made combating Trafficking in Persons a top priority for the U.S. Mission to the Philippines. Over the past two years, OPDAT organized fifteen different training programs for police, prosecutors and judges. More recently, OPDAT created an innovative program that brings together law students and police officers to improve and streamline the drafting and processing of criminal complaints in human trafficking "hotspots" throughout the Philippines.

Protecting LGBT Rights

OPDAT helped to organize the first two programs ever held by the Philippine Judicial Academy focused on the legal issues that face Lesbian, Gay, Bisexual, and Transgendered (LBGT) people in the Philippines. Discussions during these events sand created a new area of dialogue between the judiciary and the LGBT community of the Philippines to discuss important legal issues.

Human Rights and Access to Justice in Mindanao

OPDAT developed five programs to support human rights and access to justice for Mindanao. These include the establishment of free legal clinics based at local law schools, to enable access to justice for marginalized people; education programs targeted to young community leaders about basic laws and human rights; and other efforts to build grassroots knowledge and support rule of law in the Mindanao region.